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## Attorney for CIA Presents Secret Data on Bomber Deal

Subpoenaed by Hawke's Counsel, Lawyer  
Presents 'Complete File' on B-26 Project

By RON MASELKA

The "lawyer for the Central Intelligence Agency" brought some of the agency's secret documents to Federal Court Friday, indicating the agency received information May 25, 1965, about a B-26 bomber deal with Portugal. This was several days before the first aircraft allegedly left the U. S. illegally.

Charged with conspiring to unlawfully export seven of the World War II aircraft are: John R. Hawke, 28, a former British Royal Air Force pilot and Henri Marie Francois de Montmarin, 58, a count and businessman from Paris.

Hawke has claimed he believed the project had CIA blessing when he piloted the planes overseas.

The last witness to testify Friday, at the end of the trial's third week was tall, bespectacled Lawrence R. Houston, general counsel for the CIA since its creation in 1947.

### Source Is Deleted

Mr. Houston appeared in response to a subpoena issued on request of Hawke's attorney, Edward Marger of Miami Beach, Fla. Mr. Houston brought four documents which he described as the agency's complete file on the B-26 project.

Asked by Judge John O. Henderson if national security would be jeopardized by revealing the reports, Mr. Houston said: "No sir."

U. S. Atty. John T. Curtin said the four proposed exhibits were in narrative form, with any data on source or method of obtaining the information deleted.

"We have no objection to consideration of the substance of the reports," Mr. Houston said.

### Reviewed All Files

His testimony was interrupted when Judge Henderson held a 40-minute conference in his chambers with various attorneys, examining the original documents and the deleted versions.

Back on the witness stand, Mr. Houston was asked by Mr. Marger if he had brought all CIA records on the case. "I've brought any of the files we had on any of the defendants," Mr. Houston said. "I've had all our files reviewed that could possibly have anything to do with this."

The first document to be considered was described by Mr. Houston as a CIA cable prepared by the Washington office.

### Claims No Jurisdiction

Asked if the CIA, on May 25, 1965, was advised that the Portuguese purchased about 20 B-26 aircraft from a private concern and that extra fuel tanks were being installed, Mr. Houston replied: "We received the information on that day."

Allegedly, the first bomber did not leave the U. S. until early June 1965.

"Did the CIA know what those planes were going to be used for?" Mr. Marger asked.

"We were told only what's in those reports," Mr. Houston said.

Noting that the substance of the report came to CIA as "raw information," Mr. Houston said it was distributed for evaluation by other agencies, including armed services' intelligence units and the State Department.

"We do not have jurisdiction over matters of this sort," Mr. Houston said, "so there was no attempt to validate the information . . . That was a statement given to us. It doesn't mean we accepted it as true."

### Writer Testifies

Judge Henderson overruled an objection of de Montmarin's lawyer, Edward Brodsky of New York, who opposed the admission into evidence of the first of the four CIA documents.

Mr. Houston is scheduled to continue testifying Tuesday, when the trial resumes at 11 AM. More legal arguments on the admissibility of the CIA reports and on what Mr. Marger hopes to prove through the CIA witness will be heard at 9:30.

Earlier Friday, a free-lance writer testified that Portugal wanted B-26 bombers in 1965 to head off a Communist inspired uprising in its African colony of Mozambique.

### Claimed U. S. Approval

Herbert M. Mason Jr. of San Antonio, Tex., said he got this information in July 1965 from Gregory R. Board, the missing defendant in the case.

"Board told me the Communists were in the process of training an army in Tanzania . . . formerly Tanganyika," Mr. Mason said, noting this army within two years would infiltrate into nearby Mozambique "to start a revolution and pass off this insurrection as a popular uprising . . . the same problem as we have now in Viet Nam."

Mr. Mason testified Board said he had State Department approval for the project and that he didn't want publicity during the operation "because it might embarrass this government . . . it would make us look like oppressors."